



To the Honorable Council
City of Norfolk, Virginia

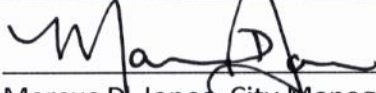
June 14, 2016

From: David L. Ricks, Director of Public Works

Subject: Encroach into the right-of-way of Northampton Boulevard and Miller Store Road with a sign

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 4/7

Approved: 
Marcus D. Jones, City Manager

Item Number: **R-25**

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** Norfolk Outlets, LLC
6288 Northampton Boulevard
Norfolk, Virginia 23502

III. **Description:**
This agenda item is an ordinance permitting Norfolk Outlets, LLC to encroach into the right-of-way of Northampton Boulevard and Miller Store Road with a sign.

IV. **Analysis**
An encroachment is an object or structure that infringes into the City of Norfolk's (the "City's") rights-of-way or property. *Norfolk City Code*, § 42-10, requires all encroachments onto City rights-of-way or property to be approved by City Council. This encroachment in this location will allow Norfolk Outlets, LLC to erect signage to identify their business location.

V. **Financial Impact**
Liability insurance has been provided naming the City as additional insured in the amount of \$1,000,000; therefore, there should be no financial risk to the City. The City did not charge a fee for this encroachment.

VI. **Environmental**
N/A

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City's agenda notification process.

VIII. Board/Commission Action

The Department of Public Works and the City Attorney's Office have reviewed this request for encroachment and offer no objections. Review and approval by the Norfolk Design Review Committee and the City Planning Commission is not required.

IX. Coordination/Outreach

This letter has been coordinated with Department of Public Works, the Department of Planning and Community Development, and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A (8 sheets)

By Nathan S. Bluman
Office of the City Attorney

NORFOLK, VIRGINIA

By [Signature]
DEPT. Public Works

ORDINANCE No.

AN ORDINANCE PERMITTING NORFOLK OUTLETS, LLC TO ENCROACH INTO THE RIGHT-OF-WAY OF NORTHAMPTON BOULEVARD AND MILLER STORE ROAD WITH SIGNAGE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to Norfolk Outlets, LLC ("Outlets") to encroach into the right-of-way of Northampton Boulevard with a sign, and into the right-of-way of Miller Store Road with a sign, the location being described on Exhibit A and shown on Exhibit B attached hereto, such permission being further subject to the following conditions:

- (1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation, Outlets, or its successors and assigns, shall immediately remove the encroaching structures.
- (2) That upon the removal of the encroaching structures or any part thereof, the authority hereby granted shall cease and terminate.
- (3) That Outlets, or its successors and assigns, at its own cost and expense, shall take out and keep in full force and effect during the term of the encroachment general liability insurance with a company authorized to do business in the Commonwealth of Virginia, insuring and naming the City of Norfolk ("City") as an additional insured in the amount of at least \$1,000,000.00 each occurrence and \$2,000,000.00 general aggregate against liability from claims, actions and suits that may be asserted or brought against the City and/or Outlets, and its successors and assigns, for any injury to, or death of any person or persons, or for any damage to, or destruction of property resulting from the installation, maintenance, or

existence of said encroaching structures, with evidence of such insurance being provided to the City.

- (4) That the City shall not be responsible for any damage to the encroaching structures, including replacement and reinstallation costs, resulting from the City's operation, maintenance, repair, or replacement of any utilities located in the right-of-way of Northampton Boulevard and Miller Store Road, the location being described on Exhibit A.

Section 2:- That the failure of Outlets, or its successors and assigns, to fully comply with all requirements and conditions set forth herein shall act as an automatic revocation of the permission granted hereby.

Section 3:- That the use of the said encroaching structures shall be deemed an acceptance by the Outlets, and its successors and assigns, of all conditions to which the permissions herein are granted.

Section 4:- That this ordinance shall be in effect from and after its adoption.

EXHIBIT A TO ORDINANCE

DESCRIPTION OF ENCROACHMENT

Proposed Sign Encroachment #1: Near the intersection of Northampton Boulevard and future Premium Outlets Boulevard

Approximate address: 6000 Northampton Boulevard, Norfolk, VA 23502

This proposed signage encroachment request is for the placement of an approximately 25' long by 22' tall by 5' wide monument sign for the proposed Norfolk Premium Outlets to be located within the old Lake Wright golf course property. The sign is proposed to be located within a landscape strip in the City of Norfolk between proposed Premium Outlets Boulevard (a proposed public right-of-way) and existing Wesleyan Drive. It will be approximately 97' back from the nose of the median at Northampton Boulevard and approximately 5' off of the back of curb of proposed Premium Outlets Boulevard. This location was selected due to presenting no adverse impact to traffic sight lines and the minimal danger posed to the traveling public. Due to the configuration of the parcel on which the proposed outlet mall is to be located, there is no opportunity for signage on the site which would allow for a view from a major existing public street such as Northampton Boulevard.

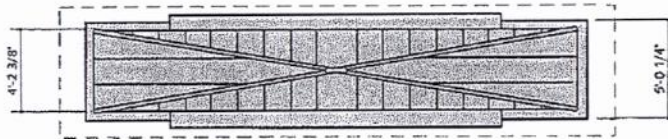
The proposed encroachment will be reviewed by the Norfolk Architectural Review Board through a separate process and submittal. It has been included in the civil design documents for proposed Premium Outlets Boulevard and has been extensively coordinated with City staff from the departments of Planning, Public Works Traffic Engineering and the City Attorney's office to ensure that any adverse impacts could be properly mitigated as a part of the plan review. To date, no objections to the sign placement have been received.

Proposed Sign Encroachment #2: At the intersection of Miller Store Road and Pritchard Street

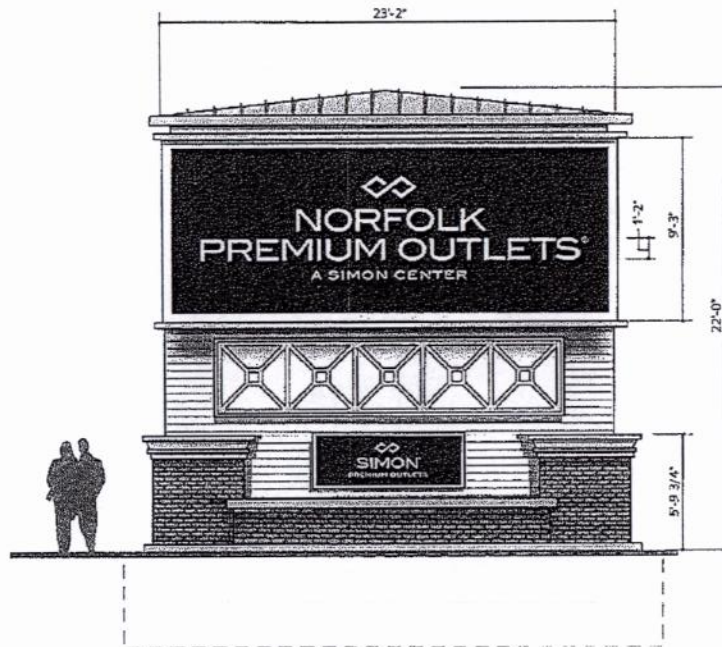
Approximate address: 6137 Miller Store Road, Norfolk, VA 23502

This proposed signage encroachment request is for the placement of an approximately 6.25' long by 12' tall by 1' wide monument sign for the proposed Norfolk Premium Outlets. The sign is proposed to be located within public right-of-way in a grassy area at the southeast corner of the intersection of Miller Store Road and Pritchard Street in the City of Norfolk, approximately 5' away from the edge of existing roadway. This location was selected such that the sign could be constructed without impacting other existing infrastructure in the area. In order to minimize impact to traffic sight lines, the sign base was designed with a height of 24". Additionally, the support for the sign above the 24" brick base is open from the top of the brick to a height of 7' above finished grade with the only obstructions being the 8" wide columns supporting the sign. This configuration allows for adequate visibility through the sign since it is located within the sight distance triangle. Other locations at or near the intersection were considered for the sign but were not found to be viable due to either space limitations or the presence of existing utilities.

It is anticipated that Pritchard Street will serve as a secondary entrance to the property with a significantly smaller proportion of the traveling public utilizing it. For this reason, a smaller sign than used at Northampton Boulevard is being proposed to serve primarily as a directional feature. Due to the configuration of the parcel on which the proposed outlet mall is to be located, there is no opportunity for signage within the site which would allow for a view from Miller Store Road. This proposed encroachment has been included in the most recent site plan resubmittal for staff review. Additionally, we have coordinated with Norfolk Traffic Engineering regarding the proposed location and dimensional characteristics of the sign as described above to staff's satisfaction. Further, the proposed encroachment will be reviewed by the Norfolk Architectural Review Board through a separate process and submittal.

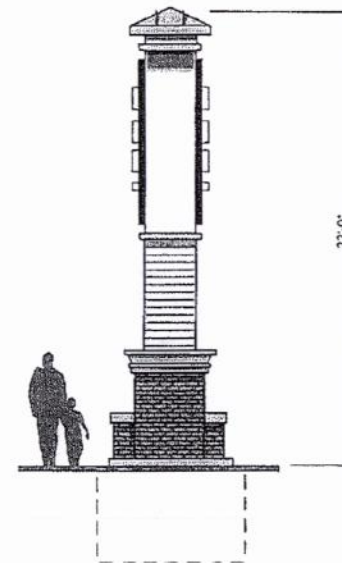


Site Identity Monument Sign - Plan View (B1)
Scale: 1/8" = 1'-0"



Site Identity Monument Sign - Front Elevation (B1)
Scale: 1/8" = 1'-0"

The designs represented here are for schematic representation only, and are subject to change as project development evolves.



Site Identity Monument Sign - Side Elevation (B1)
Scale: 1/8" = 1'-0"



Project Name:



Project Owner:



Project Architect:



No.	Description	Date
01	1.000 Project	02/10/16
02	1.000 Project	02/10/16

Site Identity Monument Sign

Sign Type:
B1

Study Elevations

Project:	11/2014
Date:	02/01/16
Scale:	None
Drawn By:	JK
Checked By:	CC

B1.01

8' CHAIN LINK FENCE

DI
RIM=17.54
SE IN=15.06
DSW IN=14.99
RIM=17.53
IN=15.18

15" RCP

12" RCP

12" PVC
IN=15.64

8" GRASS SWALE

RIM=17.50
IN=15.41

THE CONTRACTOR SHALL PHYSICALLY UNCOVER AND FIELD VERIFY THE HORIZONTAL AND VERTICAL LOCATION OF THE EXISTING SANITARY FORCE MAIN AND VERIZON COMMUNICATIONS LINE ON THE SOUTH SIDE OF MILLER STORE ROAD AS WELL AS ANY OTHER UTILITY LINES FOUND WITHIN THE FOOTPRINT OF THE PROPOSED SIGN BASE PRIOR TO COMMENCING CONSTRUCTION OF THE SIGN. CONTRACTOR SHALL REPORT ANY ANTICIPATED CONFLICTS BETWEEN THE SIGN BASE AND EXISTING UTILITIES TO KIMLEY-HORN AND ASSOCIATES FOR EVALUATION. ANY UTILITY CONFLICTS CONFIRMED SHALL BE RESOLVED BY RELOCATING THE UTILITY LINE AND NOT BY ADJUSTMENT OF THE SIGN LOCATION. IF THE FORCE MAIN LIES IN CONFLICT WITH THE SIGN, KIMLEY-HORN WILL PREPARE PLANS FOR THE RELOCATION OF THE FORCE MAIN TO BE REVIEW AND APPROVAL BY THE CITY OF NORFOLK PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF THE SIGN

POTENTIAL LOCATION OF 8' MONUMENT SIGN

PRITCHARD STREET
(48' RW)
(M.B. 65, PG. 122)

BEGIN VDOT CG-6

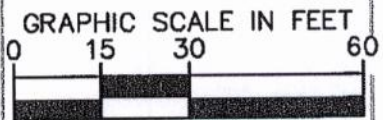
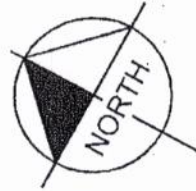
MILLER STORE ROAD

TBM
ELEVATION: 17.82

UNKNOWN BOX

FES
IN=14.43 (FLARE)
IN=14.53 (PIPE)

CHAIN LINK FENCE

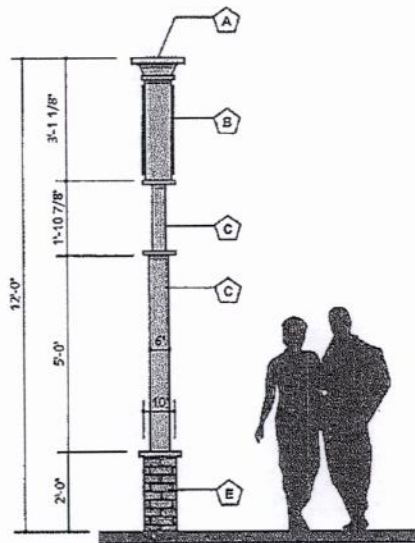


General Design Note:

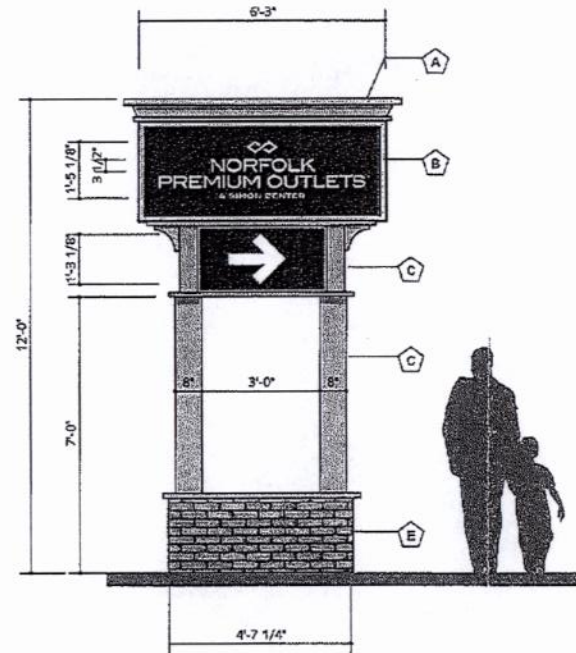
Sign design shown are illustrated for conceptual review only. Final design, dimensions and area may vary from concept illustration shown, but max. allowable sign area and sign structure area will not be exceeded.

General Material Notes:

- A** Fabricated aluminum crown cap
- B** Fabricated aluminum cabinet w/ routed and back lit letters
- C** Painted aluminum tube
- D** Fabricated aluminum cabinet w/ routed and back lit letters
- E** Brick veneer over tube column



Site Directional Monument Sign - Side Elevation (B2)
Scale: 3/8"=1'-0"



Site Directional Monument Sign - Front Elevation (B2)
Scale: 3/8"=1'-0"



Project Name:



Project Owner:



Project Architect:



No.	Description	Date
01	SPO Review	10/25/16
02	SPO Review	08/03/16
03	SPO Review	08/03/16
04	SPO Review	08/03/16
05	SPO Review	08/03/16

Site Directional Monument Sign

Sign Type:
B2

Study Elevations

Project:	131.024
Date:	08/03/16
Drawn By:	ME
Checked By:	DG

B2.02

